

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RICHARD NICHOLSON,

Case No. 3:16-cv-00486-MMD-WGC

Petitioner,

ORDER

v.

RENEE BAKER, *et al.*,

Respondents.

Following the entry of appearance (ECF No. 27) by the Federal Public Defender,

It is ordered that the Federal Public Defender, through S. Alex Spelman, Esq., is appointed as counsel for Petitioner pursuant to 18 U.S.C. § 3006A(a)(2)(B). Counsel will represent Petitioner in all federal proceedings related to this matter, including any appeals or certiorari proceedings, unless allowed to withdraw.

It is further ordered that Petitioner will have thirty (30) days from entry of this Order within which to either respond to the Court's order of May 22, 2018, directing Petitioner to make an election with respect to his unexhausted claims (ECF No. 22) or to seek other appropriate relief, including leave to file an amended petition. Should the Court grant leave to file an amended petition, no deadline for the same nor any extension thereof will signify any implied finding as to the expiration of the federal limitation period and/or of a basis for tolling during the time period established. Petitioner at all times remains responsible for calculating the running of the federal limitation period and timely asserting claims, without regard to any deadlines established or extensions granted herein. That is, by setting a deadline to amend the Petition and/or by granting any extension thereof, the

1 Court makes no finding or representation that the Petition, any amendments thereto,
2 and/or any claims contained therein are not subject to dismissal as untimely. See *Sossa*
3 *v. Diaz*, 729 F.3d 1225, 1235 (9th Cir. 2013).

4 DATED THIS 20th day of July 2018.

A handwritten signature in dark ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE